

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

BRIAN RODRIGUEZ,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/29/2021

No. 19-CR-449-02 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

A review of the docket reveals that the instant criminal action was commenced in April 2019; Defendant Brian Rodriguez is charged by superceding indictment with six counts including two counts of conspiring to commit robbery in violation of 18 U.S.C. § 1951, one count of committing robbery and aiding and abetting the same in violation of 18 U.S.C. §§ 1951 and 2, and one count of using and carrying a firearm that was brandished during and in relation to second robbery, and one count of aiding and abetting the same; Magistrate Judge Judith C. McCarthy granted bond on May 1, 2019, and Defendant has been in compliance with the conditions of release; and a trial is scheduled to begin on June 14, 2021, or, alternatively, June 21, 2021; and Defendant wishes to enter a guilty plea pursuant to a negotiated plea agreement.

In light of the ongoing Coronavirus Disease 2019 (“COVID-19”) pandemic, Defendant’s desire to resolve this matter without a trial as quickly as possible, and in order to comply with social distancing protocols and the directive from the Chief Judge of the United States District Court for the Southern District of New York to limit in-person court appearances due to the risk presented by COVID-19, it is the Court’s determination that in order to prevent serious harm to the interest of justice, Defendant Brian Rodriguez can and should be permitted to change his plea by video teleconference or by telephone conference before a Magistrate Judge of this Court pursuant to the CARES Act § 15002(b)(2)(A).

Accordingly, it is hereby ORDERED that the plea hearing for Defendant Brian Rodriguez be conducted by video teleconference or by telephone conference (if video conference is unavailable) before this Court or a Magistrate Judge at a date and time mutually convenient to the Court and all parties concerned. The Clerk of Court is requested to terminate the motions at ECF Nos. 117 and 118.

Dated: March 29, 2021
White Plains, New York

SO ORDERED:

A handwritten signature in dark ink, appearing to read 'Nelson S. Román', is written over a light blue rectangular background.

NELSON S. ROMÁN
United States District Judge